UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,775	11/28/2000	David C. Wilkins	DIGIP023	7663

7590   09/03/2004

Patent Lean Staff
EASTMAN KODAK COMPANY
343 State Street
Rochester, NY 14650-2201

EXAMINER
POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/724,775	WILKINS ET AL.
	Examiner	**Art Unit**	
	Joseph R. Pokrzywa	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 November 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *3*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The references listed in the Information Disclosure Statement submitted on 5/29/01 have

been considered by the examiner (see attached PTO-1449).

Drawings

2.   The drawings received on 11/28/00 are acceptable by the examiner.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   **Claims 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski *et al.*

(U.S. Patent Number 6,573,927, hereinafter noted as Parulski'927).

Regarding *claim 1*, Parulski'927 discloses a method, in a distributed network (see Fig.

1B), for automatically synchronizing each of a set of distributed multimedia assets comprising

modifying a particular one of the set of distributed multimedia assets (column 3, lines 5 through

62) and automatically synchronizing others of the set of distributed multimedia assets based

upon the modifying step (column 4, lines 10 through 58, and column 6, lines 1 through 44).

Regarding *claim 2*, Parulski'927 discloses the method discussed above in claim 1, and further teaches of generating an update edit list corresponding to the modifying step (column 3, lines 34 through 62, interpreted as the "utilization" file, further seen in Appendix I in columns 6-9).

Regarding *claim 3*, Parulski'927 discloses the method discussed above in claim 2, and further teaches that the automatically synchronizing comprises forwarding the update edit list to the others of the set of distributed multimedia assets (column 3, line 45 through column 4, line 58), and modifying each of the others of the set of distributed multimedia assets based upon the forwarded update edit list (column 4, lines 10 through 58).

Regarding *claim 4*, Parulski'927 discloses the method discussed above in claim 1, and further teaches of generating a resultant multimedia asset corresponding to the modifying step, wherein the resultant multimedia asset is formed of a digital negative of the particular one of the set of multimedia assets (column 5, lines 15 through 50) and a corresponding edit list, wherein the edit list represents all modifications made to the digital negative (column 5, line 35 through column 6, line 26).

Regarding *claim 5*, Parulski'927 discloses the method discussed above in claim 4, and further teaches that the automatically synchronizing comprises replacing each of the others of the set of distributed multimedia assets with the resultant multimedia asset (column 3, lines 31 through column 4, line 64, and column 5, line 35 through column 6, line 45).

Regarding *claim 6*, Parulski'927 discloses the method discussed above in claim 1, and further teaches that the multimedia asset is a digital image (column 1, lines 23 through 26, and column 2, line 53 through column 3, line 44).

Regarding *claim 7*, Parulski'927 discloses the method discussed above in claim 6, and

further teaches that the digital image is one of a plurality of associated digital images (column 6,

lines 27 through 44, see Fig. 5)

Regarding *claim 8*, Parulski'927 discloses the method discussed above in claim 7, and

further teaches that the plurality of associated digital images take the form of an album (column

3, lines 25 through 44, and column 4, lines 43 through 58).

Regarding *claim 9*, Parulski'927 discloses the method discussed above in claim 1, and

further teaches that the edit list is one of a number of edit lists included in a catalog file (column

3, lines 5 through 44, and column 6, lines 1 through 45).

Regarding *claim 10*, Parulski'927 discloses the method discussed above in claim 9, and

further teaches that each of the number of edit lists included in the catalog file are associated

with a particular multimedia asset (column 6, lines 19 through 45).

Regarding *claim 11*, Parulski'927 discloses an apparatus, in a distributed network (see

Fig. 1B), for automatically synchronizing each of a set of distributed multimedia assets (see

abstract, column 4, lines 10 through 58, and column 6, lines 1 through 44), comprising a first

means for modifying a particular one of the set of distributed multimedia assets (column 3, lines

5 through 62), and a second means for automatically synchronizing others of the set of

distributed multimedia assets based upon coupled to the first means (column 4, lines 10 through

58, and column 6, lines 1 through 44).

Regarding *claim 12*, Parulski'927 discloses the apparatus discussed above in claim 11,

and further teaches of a third means for generating an update edit list corresponding to coupled to

the first means based upon the modifying (column 3, lines 34 through 62, interpreted as the

"utilization" file, further seen in Appendix I in columns 6-9).

Regarding *claim 13*, Parulski'927 discloses the apparatus discussed above in claim 12,

and further teaches of fourth means coupled to the third means for forwarding the update edit list

to the others of the set of distributed multimedia assets (column 3, line 45 through column 4, line

58), and a fifth means coupled to the fourth means for modifying each of the others of the set of

distributed multimedia assets based upon the forwarded update edit list (column 4, lines 10

through 58).

Regarding *claim 14*, Parulski'927 discloses the apparatus discussed above in claim 11,

and further teaches of sixth means coupled to the first means for generating a resultant image

corresponding to the modified multimedia asset wherein the resultant image is formed of a

digital negative of the particular one of the set of multimedia assets (column 5, lines 15 through

50) and a corresponding full edit list, wherein the full edit list represents all modifications made

to the digital negative (column 5, line 35 through column 6, line 26).

Regarding *claim 15*, Parulski'927 discloses the apparatus discussed above in claim 14,

and further teaches that the automatically synchronizing comprises a seventh means coupled to

the first means for replacing each of the others of the set of distributed multimedia assets with

the resultant multimedia asset (column 3, lines 31 through column 4, line 64, and column 5, line

35 through column 6, line 45).

Regarding *claim 16*, Parulski'927 discloses the apparatus discussed above in claim 12,

and further teaches that the multimedia asset is a digital image (column 1, lines 23 through 26,

and column 2, line 53 through column 3, line 44).

Regarding *claim 17*, Parulski'927 discloses the apparatus discussed above in claim 16,

and further teaches that the digital image is one of a plurality of associated digital images

(column 6, lines 27 through 44, see Fig. 5)

Regarding *claim 18*, Parulski'927 discloses the apparatus discussed above in claim 17,

and further teaches that the plurality of associated digital images take the form of an album

(column 3, lines 25 through 44, and column 4, lines 43 through 58).

5.   **Claims 19 and 20** are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski *et*

al. (U.S. Patent Number 6,567,119, hereinafter noted as Parulski'119).

Regarding *claim 19*, Parulski'119 discloses a method of modifying a first multimedia

asset (original thumbnail image 98, being an unmodified version of a thumbnail image, column

5, line 63 through column 6, line 32) to form a second multimedia asset (modified thumbnail

image 23, column 6, lines 18 through 21, and column 7, lines 18 through 20) comprising

applying a multimedia asset processing command (the extension property set 22, see Fig. 5) to

the first multimedia asset to form the second multimedia asset (column 5, line 63 through column

6, line 32, and column 7, line 24 through column 8, line 25), and uniquely linking the first

multimedia asset to the second multimedia asset to the second multimedia asset using the

multimedia asset processing command (see Fig. 5) such that the first multimedia asset (original

thumbnail image 98) is derivable solely from the second multimedia asset (column 6, lines 27

through 32, and column 8, lines 11 through 25), determining if the first multimedia asset is

associated with an edit list that includes the multimedia asset processing command (advance

edits list 100, see Figs. 5 and 6), retrieving the edit list (column 5, line 63 through column 6, line

32), processing the first multimedia asset using the multimedia asset processing command

included in the edit list (column 5, line 63 through column 6, line 32, and column 8, lines 11

through 25), and outputting the processed first multimedia asset in the form of the second

multimedia asset (column 7, lines 6 through 20, and column 8, lines 11 through 25).

Regarding *claim 20*, Parulski'119 discloses the method discussed above in claim 19, and

further teaches that the edit list is one of a number of edit lists included in a catalog file (column

6, lines 15 through 32, and column 7, lines 6 through 46).

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The

examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrp